

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Alfred Schneckenleitner
Serial No.: 10/522,122 Art Unit: 4136
Filed: August 15, 2005 Examiner: TANG, Jeff
For: DRIVE FOR A SLIDING DOOR OR A SWINGING-SLIDING DOOR

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

Sir:

In response to the Election of Species Requirement dated June 16, 2008, Applicants provisionally elect Species 2 with traverse because the characterization of the disclosed and claimed species is incorrect.

As indicated in paragraph [0011] of the specification, Figure 1 does not correspond to the claimed invention but illustrates “a view of a drive coupling according to the prior art.” Further, as indicated in paragraphs [0012]-[0013] and throughout the detailed description of the invention, Figures 2 and 3 do not correspond to separate embodiments; rather, Figure 2 is a view of a device according to the invention in the swiveled-in positions of the door leaf and Figure 3 is a view of the device illustrated in FIG. 2 in the swiveled-out position of the door leaf. Therefore, Figures 2 and 3 do not pertain to different species of the same invention; rather they are the same identical device illustrated in two alternative positions.

As such, Species 2 (allegedly corresponding to claims 5-7 and 9) and Species 3 (allegedly corresponding to claim 8) are not independent or distinct and the claims identified as corresponding to those species must be considered together.

Additionally, as Figure 1 illustrates merely convention features. Applicant submits that Species 2 corresponds to claims 1-7. Therefore, the patentability of all pending claims must be considered together.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 02-1010 (566-43618).

Respectfully submitted,

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